

# Senate Amendment 5104

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1 1 Amend Senate File 2270 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. Section 22.7, Code Supplement 2005, is  
1 5 amended by adding the following new subsection:  
1 6 NEW SUBSECTION. 52. a. The following records  
1 7 relating to a charitable donation made to a foundation  
1 8 acting solely for the support of an institution  
1 9 governed by the state board of regents, to a private  
1 10 foundation as defined in section 509 of the Internal  
1 11 Revenue Code organized for the support of a government  
1 12 body, or to an endow Iowa qualified community  
1 13 foundation, as defined in section 15E.303, organized  
1 14 for the support of a government body:  
1 15 (1) Records provided by a noncorporate donor or  
1 16 prospective noncorporate donor that disclose personal,  
1 17 financial, estate planning, or gift planning  
1 18 information about the donor or prospective donor if  
1 19 such donor or prospective donor has requested in  
1 20 writing that the records be treated as confidential.  
1 21 (2) Portions of records disclosing the identity of  
1 22 a noncorporate donor or prospective noncorporate donor  
1 23 if such donor or prospective donor has requested in  
1 24 writing anonymity in connection with the donation.  
1 25 b. The following information contained in records  
1 26 with regard to all donations made to a foundation in  
1 27 paragraph "a" are public records and are not  
1 28 confidential whether or not the donor or prospective  
1 29 donor has requested anonymity:  
1 30 (1) The amounts and dates of all donations.  
1 31 (2) The intended use or purpose of the donation,  
1 32 if indicated.  
1 33 (3) Any restriction on the use of the donated  
1 34 funds or other property.  
1 35 (4) Any gifts, honors, privileges, employment, or  
1 36 any other considerations bestowed upon or made  
1 37 available to the donor or prospective donor as a  
1 38 result of the donation or upon or to any person  
1 39 related to the donor or prospective donor by blood,  
1 40 marriage, or within the third degree of consanguinity  
1 41 or affinity. Such considerations shall include  
1 42 admission to an academic program, the awarding of an  
1 43 academic degree or certificate whether earned or  
1 44 honorary, and the naming of any building or portion of  
1 45 a building, physical space, facility, academic or  
1 46 school program, scholarship, fellowship, endowed  
1 47 chair, seminar, or other public presentation program  
1 48 at any institution benefiting from a donation to a  
1 49 recipient foundation listed in paragraph "a".  
1 50 (5) Any other conditions, restrictions,  
2 1 limitations, or agreements made by the donor or donee  
2 2 or institution benefiting from the donation in  
2 3 connection with the donation.  
2 4 c. Notwithstanding paragraph "a", subparagraph  
2 5 (2), the identity of a donor in any records relating  
2 6 to any settlements including settlements of lawsuits  
2 7 or other complaints against any recipient foundation  
2 8 listed in paragraph "a" or the institution it benefits  
2 9 including but not limited to termination of employment  
2 10 if the settlement is funded in whole or in part or is  
2 11 in any way facilitated or influenced by the donation  
2 12 is a public record and is not confidential.  
2 13 d. For the purposes of this subsection:  
2 14 (1) "Noncorporate donor" means a natural person or  
2 15 a charitable trust established by a natural person to  
2 16 distribute personal funds placed in the trust by a  
2 17 natural person or members of a family related within  
2 18 the third degree of consanguinity or affinity.  
2 19 "Noncorporate donor" does not include a for-profit  
2 20 corporation established in Iowa or elsewhere, whether  
2 21 or not publicly traded, a cooperative, bank, credit  
2 22 union, insurance company, subchapter S corporation, a  
2 23 foundation established by a for-profit corporation,  
2 24 cooperative, or a foundation that receives donations

2 25 from a for-profit corporation or cooperative.  
2 26 (2) "Prospective donor" means a person who has  
2 27 made a pledge or commitment to donate money or  
2 28 property.>  
2 29 #2. Title page, lines 2 and 3, by striking the  
2 30 words <for the benefit of a government body> and  
2 31 inserting the following: <made to a foundation acting  
2 32 solely for the support of an institution governed by  
2 33 the state board of regents, to a private foundation as  
2 34 defined in the Internal Revenue Code organized for the  
2 35 support of a government body, or to an endow Iowa  
2 36 qualified community foundation organized for the  
2 37 support of a government body>.  
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2 41 HERMAN C. QUIRMBACH  
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